

After much debate, Holden and the convention eventually accomplished their tasks and called for an election in November 1865. In the statewide balloting, Jonathan Worth defeated Holden for the governor's office, but Holden's supporters won a majority in the legislature.⁶¹ Most significantly, the proposed constitution was rejected.⁶² Pro-Union men from the Democratic Party were elected by the General Assembly to serve as representatives in Washington, D. C. However, Radical Republicans in Washington controlled the Congress, and, contrary to President Johnson's wishes, wanted to prevent southern states, and Conservatives, from rejoining the Union until more conditions were met regarding the reunification of the Union. The Radicals wanted more protection for freed blacks, including providing them the right to vote for representatives. As a result, they refused to recognize the newly elected delegates from the South. Thus, North Carolina was without representation in Congress for approximately two years as Reconstruction efforts were removed from the President's hands by a strong Congress by 1867.⁶³

⁶¹ Prior to his election as governor, Worth lamented the defeat of the Confederacy and the advent of the Republican Party to colleagues. Worth considered blacks to be inferior and claimed it was "supreme nonsense" to make the equal to whites. Jonathan Worth as quoted by John Haley in *Charles N. Hunter*, 3.

⁶² New Hanover's representatives in the General Assembly were Edward D. Hall in the Senate and Robert H. Cowan and John R. Hawes in the House. Cheney, *North Carolina Government*, 332-333; Hamilton, *Reconstruction*, 120-133, 139.

⁶³ The political organization that grew into what became known as the Democratic Party first was known as the Conservative Party after the Civil War. It was not until 1876 that the party officially adopted the name "Democrat." Those same men are also referred to as "Bourbon" Democrats because, as the state emerged from Reconstruction in the 1880's, they, much as former French monarchs with the same name, tied themselves to the past instead of seeking

Reconstruction in North Carolina lasted until 1877 and the intervening twelve years were full of strife as Congress, military leaders, and elected officials struggled to implement new laws designed to guarantee freedom and equality for African Americans. The passage of the Thirteenth Amendment forever freed from slavery about 350,000 African Americans in North Carolina.⁶⁴ Questions then arose as to the legal status of freed slaves. Based on conclusions from a research commission organized by Holden on the "negro question," a "Black Code" was established by the legislature in 1866 to provide basic legal building blocks for African Americans, including recognition of their marriages and protection of their rights in business contracts and in court. The Black Code, similar to those passed in other southern states, however, did not protect rights for black men. The code lacked a provision guaranteeing the right to vote and testify in court.⁶⁵ The codes were revised several

progressive reforms in government. Zuber, *Reconstruction in North Carolina*, 4-6, 50; Hamilton, *Reconstruction*, 144; Powell, *North Carolina Through Four Centuries*, 422. For more information on early Reconstruction efforts in North Carolina, see Roberta Sue Alexander, *North Carolina Faces the Freedmen: Race Relations During Presidential Reconstruction, 1865-1867* (Durham: Duke University Press, 1985).

⁶⁴ The Thirteenth Amendment was passed by Congress in January 1865 by representatives of states still in the Union. The amendment was not ratified, or made into law, until December 1865 when the last of the southern states ratified it, including North Carolina, as the next to the last ratifying state, on December 4, 1865. The amendment's text reads: Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction. Section 2. Congress shall have power to enforce this article by appropriate legislation.

⁶⁵ A new constitution was also drafted in 1866 to accommodate attempts for the state to rejoin the Union, but it was rejected by voters. Zuber, *North Carolina During Reconstruction*, 6; William S.